

REMARKS

This paper is being filed with an RCE and addresses the Advisory Action issued following the (un-entered) Amendment and Response filed October 5, 2009 in response to the Final Office Action mailed September 4, 2008, for the above application. Claims 1-11 are pending, with claim 4 having been previously withdrawn from consideration and new dependent claim 11 being added hereby. Entry of the amendments and reconsideration in view thereof is respectfully requested.

Indication of Allowable Matter

The indication that claims 1-10 would be allowable if the rejections under 35 U.S.C. §112 were overcome is gratefully acknowledged. As set forth below, it is respectfully submitted that those rejections have now been overcome and, thus the claims are all allowable.

Response to Objections to the Claims

The Patent Office objected to claim 1 because, as the Examiner kindly recognized, the claim mistakenly dropped an “e” at the end of “use.” Claim 1 has been amended to add the missing “e” and it is respectfully submitted that the objection to claim 1 is overcome.

Claims 9 and 10 were objected to as being in improperly dependent in form. Claims 9 and 10 have been amended to eliminate any dependency problem. Accordingly, the objections to claims 9 and 10 are overcome.

Response to Section §112 Rejections

Claims 1-10 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 1, 9 and 10 have been amended and new claim 11 has been added to more clearly specify what applicant regards as each invention specified by those respective claims and address the specific points raised in the Office Action. All of claims 2-8 and 11 depend ultimately from claim 1. Accordingly, it is respectfully submitted that all of the claims are now clear as required by 35 U.S.C. §112, second paragraph.

Rejoinder of Claim 4

Claim 4 was previously withdrawn from consideration pursuant to an election requirement. Claim 4 depends from dependent claim 2, which in turn depends from allowable independent claim 1. Accordingly, since claim 1 is allowable allowance of withdrawn claim 4 is respectfully requested.

AUTHORIZATION

No fee is believed to be due for this Amendment. However, the Commissioner is authorized to charge any additional fees which may be required for consideration of this paper, or to credit any overpayment, to Deposit Account No. 504827, Order No. 10044435-001US.

Respectfully submitted,

Locke Lord Bissell & Liddell LLP

Dated: December 1, 2009

By:



Alan M. Sack
Registration No. 31,874

Mailing address:

Associated with Customer No. 85775